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An Intellectual Property Law Firm

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September 30, 2002

TO: Commissioner for Patents

Attn: Examiner S. Sakelaris Patent Examining Corps Facsimile Center - TC1600 Washington, D.C. 20231

FROM: Nancy J. Parsons

JFFIRE

OUR REF: 0600.314USWO TELEPHONE: 612.336.4769

Total pages, including cover letter:

PTO FAX NUMBER <u>1-703-87</u>2-9306

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Title of Document Transmitted:

RESPONSE

Applicant:

TSILIBARY ET AL.

Serial No.:

09/000,004

Filed:

JANUARY 21, 1998

Group Art Unit:

1634

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0600.314USWO

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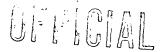
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T-698 P.002/003

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S/N 09/000,004



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

TSILIBARY ET AL.

Examiner:

S. Sakelaris

Serial No.:

09/000,004

Group Art Unit: 1634

Filed:

JANUARY 21, 1998

Docket No .:

600.314USWO

Title:

ANALYSIS OF ALPHA INTEGRINS FOR THE DIAGNOSIS OF DIABETIC

NEPHROPATHY

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: TC1600, Commissioner for Patents, Washington, D.C. 20231 on September 30, 2002.

Name: Michele Quaranto

## RESPONSE

Commissioner for Patents Washington, D.C. 20231

VIA FACSIMILE TC1600 703-872-9306

Dear Sir:

The Office Action mailed September 4, 2002 has been received and carefully reviewed. In response to the Restriction Requirement, Applicants hereby elect Group II, claims 31-34, 43-48 and 52. A species election requirement was also made, but is not understood by Applicants.

The Office Action states that if Group II is elected, a requirement is also made to elect 2 antibody species, one capable of detecting the all subunit and the other capable of detecting the α2 subunit. However, no antibody species are recited in the claims, and a listing of the patentably distinct species of the claimed invention was not provided. The claims recite generic antibodies. Therefore, Applicants are unsure of how to properly respond to the species election requirement. If the species election requirement is maintained, Applicants respectfully request a listing of the patentably distinct species from which an election is to be made.



The Examiner is invited to contact Applicants' representative at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

Reg. No.: 40,364

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332.5300

 $p_{\text{Date:}} = q/30/02$ 

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